

Remarks

This amendment is in response to the Office Action of April 29, 2005 and is being filed in conjunction with a PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b).

Power of Attorney

A Power of Attorney from the assignee of record for the undersigned representative has been filed in the present application. A copy of the Power of Attorney is submitted herewith. A copy of the current Patent Assignment Abstract of Title is also submitted herewith.

Election/Restrictions

Claims 2 and 4 have been elected as the species for examination. Claims 1, 3, 5 and 6 have been withdrawn.

Information Disclosure Statement

Applicant acknowledges and accepts Examiner's position on the requirement of form PT0-892 for the citation of references to be considered in examination.

Claim Objections

Examiner has set forth objections to claim 4 based on noted informalities. The informalities are submitted to be overcome in amended claim 4. Acceptance is requested.

Claim Rejections – 35 USC 102

Claims 2 and 4 were rejected under Section 102 as being anticipated by McNulty '073.

To clearly distinguish over the reference, Claim 2 now recites the step of positioning the bore exits sufficiently distant from the second ends of the pyrotechnic devices to prevent an ignition spark from passing through the exits. The applied reference in contrast relies upon an ignition spark passing through the exit (muzzle) between most adjacent opposed electrical connections for

ammunition cartridge detonation as clearly disclosed at column 3, lines 33–35, column 4, lines 3–5, and Figures 7 and 8.

Claim 4 has been amended to recite⁵ the step of storing the bulk of the dart tether wires between the darts prior to detonation. No prior art discloses storing the bulk of the wire tethers between the darts prior to detonation. This stem provides novel range advantages. As more tether wire travels from the launcher, the drag upon the darts increases thereby mitigating the spread between the darts as they travel further toward the target.

Inasmuch as the applied reference teaches away from the added step of claim 2 and does not disclose or suggest the added step of claim 4, the pending claims recite patentable novelty and allowance is requested.

An earnest effort has been made to place claims 2 and 4 in condition for allowance and notification thereof is respectfully requested.

Dated: May 27, 2009

Respectfully submitted,

ISHMAN LAW FIRM P.C.

A handwritten signature in cursive script, reading "Peter D. Sachtjen".

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